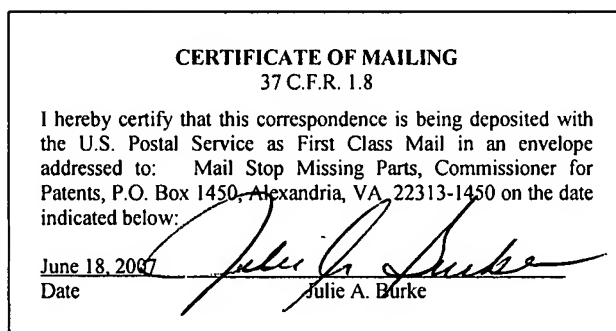


PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application Number. : 10/561,130
 Applicant : Edgar Dießel et al.
 Title : IR-ATR-BASED PROCESS FOR ANALYZING VERY SMALL AMOUNTS
 OF SAMPLE IN THE NANOLITER RANGE
 Filed : December 16, 2005
 TC/A.U. : Unassigned
 Examiner : Unassigned
 Docket Number : MSE-40DC001WO
 Customer Number : 70,001

Mail Stop Missing Parts
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, Virginia 22313-1450



**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS
 UNDER 35 U.S.C. § 371
 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

Dear Commissioner:

In response to the Notice to File Missing Requirements, dated January 26, 2007, there are enclosed herewith:

- (a) Declaration and Power of Attorney executed by Edgar Dießel, Stefan Willmann, Peter Kamphaus and Frank Lison;
- (b) A copy of the Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US); and
- (c) A Petition for a Three-Month Extension of Time.

The Commissioner is authorized to charge the Late-Filing of Declaration fee (\$130.00) and the Three-Month Extension fee (\$1,020.00) and any other necessary fees (except for payment of the issue fee) to Nixon Peabody Deposit Account No. 50-4181 (247082-000213USPX).

Please date stamp and return the accompanying postcard to evidence receipt of these documents.

Respectfully submitted,

Date: June 18, 2007



John C. Gatz
Registration No. 41,774
NIXON PEABODY LLP
161 N. Clark Street, Ste. 4800
Chicago, Illinois 60601
(312) 425-3900 - telephone
(312) 425-3909 - facsimile

Attorneys for Applicants

06/26/2007 LLANDGRA 00000047 504181 10561130
01 FC:1617 130.00 DA

Bayer Business Services



Bayer HealthCare LLC
Diabetes Care Division
Law & Patent Department
1884 Miles Avenue
Elkhart, IN 46514

USA


Attn. Ms. Laurie Companion

Dear Ms. Companion,

Re: Bayer Reference No. 04DC001

With reference to your email of March 21, 2007, we enclose the document(s) listed below.

Yours sincerely,
Bayer Business Services GmbH


(ppa. Dr. H. Lütjens)
Patents and Licensing

☒ Declaration for Patent Application

☐ Power of Attorney

29. Mai 2007

KK/jm

Le A 36 631

**Bayer Business
Services GmbH**
Law & Patents
Patents and Licensing
51368 Leverkusen
Germany

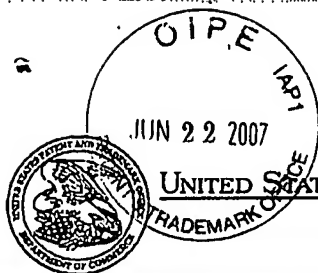
Tel. +49 (0)214-30-7 11 66
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Executive Board:
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Local Court Köln
HRB 49895

POT\$



UNITED STATES PATENT AND TRADEMARK OFFICE

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 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

213USPK

U.S. APPLICATION NUMBER NO. 10/561,130	FIRST NAMED APPLICANT Edgar Diebel	ATTY. DOCKET NO. 04DC001 WO
INTERNATIONAL APPLICATION NO. PCT/IB04/02135		
I.A. FILING DATE 06/23/2004		PRIORITY DATE 06/27/2003

53651
 BAYER HEALTHCARE, LLC
 555 WHITE PLAINS ROAD
 TARRYTOWN, NY 10591

COPY

CONFIRMATION NO. 6101
 371 FORMALITIES LETTER



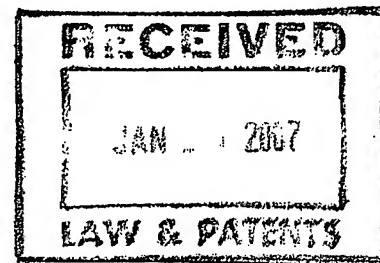
OC000000022159391

Date Mailed: 01/26/2007

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 12/16/2005
- Copy of the International Search Report filed on 12/16/2005
- Preliminary Amendments filed on 12/16/2005
- U.S. Basic National Fees filed on 12/16/2005



The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.
<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

ANITA D JOHNSON

Telephone: (703) 308-9140 EXT 226

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/561,130	PCT/IB04/02135	04DC001 WO